

# **FISCAL NOTE**

## **HB 2113 - SB 2158**

February 1, 2002

**SUMMARY OF BILL:** Allows a student who is not a resident of a local education agency (LEA) and whose parents are also not residents, to attend the schools of that LEA without payment of tuition under the following conditions:

1. The student resides with an adult who is a resident of the LEA due to: (a)the death, illness or incarceration of a parent; (b)abandonment by a parent; (c)abuse or neglect by a parent; (d)the physical or mental condition of the parent prohibits care of the student; or (e)the loss of the student's home due to a natural disaster.
2. The student is not currently under a term of suspension or expulsion from a school.
3. The adult with whom the student resides and the student's parent have each completed and signed separate affidavits that establish the student's residency and attest that the adult with whom the student resides accepts responsibility for educational decisions of the child.

If the information contained in either or both affidavits is found to be false, the local board may remove the student from school. If a person is found to have knowingly provided false information in the affidavit, the maker of the affidavit shall be guilty of a Class C misdemeanor and shall pay to the local board an amount equal to the cost of educating the student during the period of enrollment. Repayment shall not include state funds, unless the student's residence is out-of-state.

### **ESTIMATED FISCAL IMPACT:**

**Local Govt. Expenditures - Net Impact - Not Significant**  
**Increase Local Govt. Revenues - Not Significant**

Assumes the cost would be based on the average per pupil expenditure. The cost among school systems would be negligible except in cases where a student transferred between school systems with significantly different fiscal capacities. Any cost or savings to the local school system would be realized in the first year while any cost or savings to the BEP would not be realized until the second year since BEP funding is based on prior year ADM. Since it is not known how many students or which of the individual school systems would be involved, the fiscal impact cannot be determined, but is estimated that the overall impact would be not significant.

## **HB 2113 - SB 2158**

In addition, impact depends upon the number of persons convicted of this offense and the resulting increased cost to local governments to confine such persons versus the increased revenues to local governments from fines levied and collected under the provisions of this bill.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with a long horizontal stroke at the end.

James A. Davenport, Executive Director